

4/13/18

9:30 A.M.

Chapter No. 451
18/HR26/R440SG
ID / END

HOUSE BILL NO. 1202

Originated in House



Clerk

HOUSE BILL NO. 1202

AN ACT TO CREATE THE "KAELIN KERSH ACT"; TO AMEND SECTION 63-7-19, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT ANY OPERATOR OF AN EMERGENCY VEHICLE AUTHORIZED TO BE MARKED WITH BLINKING, ROTATING OR OSCILLATING LIGHTS SHALL USE BLINKING, ROTATING OR OSCILLATING LIGHTS WHEN OPERATING THE EMERGENCY VEHICLE AT A SPEED IN EXCESS OF THIRTY MILES PER HOUR OVER THE POSTED SPEED LIMIT; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. This act shall be known and may be cited as the "Kaelin Kersh Act."

SECTION 2. Section 63-7-19, Mississippi Code of 1972, is amended as follows:

63-7-19. (1) (a) Except as otherwise provided for unmarked vehicles under Section 19-25-15 and Section 25-1-87, every police vehicle shall be marked with blue lights. Every ambulance and special use EMS vehicle as defined in Section 41-59-3 shall be marked with red lights front and back and also may be marked with white and amber lights in addition to red lights. Every emergency management/civil defense vehicle, including emergency response vehicles of the Department of Environmental Quality, shall be

marked with blinking, rotating or oscillating red lights. Official vehicles of a 911 Emergency Communications District may be marked with red and white lights. Every wrecker or other vehicle used for emergency work, except vehicles authorized to use blue or red lights, shall be marked with blinking, oscillating or rotating amber-colored lights to warn other vehicles to yield the right-of-way, as provided in Section 63-3-809. Only police vehicles used for emergency work may be marked with blinking, oscillating or rotating blue lights to warn other vehicles to yield the right-of-way. Only law enforcement vehicles, fire vehicles, private or department-owned vehicles used by firemen of volunteer fire departments which receive funds pursuant to Section 83-1-39 when responding to calls, emergency management/civil defense vehicles, emergency response vehicles of the Department of Environmental Quality, ambulances used for emergency work, and 911 Emergency Communications District vehicles may be marked with blinking, oscillating or rotating red lights to warn other vehicles to yield the right-of-way. This section shall not apply to school buses carrying lighting devices in accordance with Section 63-7-23.

(b) Emergency response vehicles listed in this subsection (1) are also authorized to use alternating flashing headlights when responding to any emergency.

(2) Any vehicle operated by a United States rural mail carrier for the purpose of delivering United States mail may be

marked with two (2) amber-colored lights on front top of the vehicle and two (2) red-colored lights on rear top of the vehicle and alternatively or additionally may be marked with a white, flashing strobe light on the roof of the vehicle so as to warn approaching travelers to decrease their speed because of danger of colliding with the mail carrier as he stops and starts along the edge of the road, street or highway.

(3) Any sanitation vehicle operated by a county, municipality or other political subdivision of this state or by a contractor under contract with a county, municipality or other political subdivision of this state to collect solid waste, refuse or recyclable material may be marked with flashing or oscillating white- or amber-colored lights so as to warn approaching travelers to decrease speed because of the danger of colliding with the sanitation collection vehicle as it stops and starts along the road, street or highway.

(4) Any nonlaw enforcement vehicle being used to lead and facilitate the movement of a military funeral procession may be marked with blinking, rotating or oscillating purple lights. "Military funeral procession" means two (2) or more vehicles accompanying the body of a deceased member of the United States Armed Forces, or traveling to the church, chapel or other location at which the funeral service or entombment is to be held.

(5) Any operator of an emergency vehicle authorized to be marked with blinking, rotating or oscillating lights in accordance

with this section, shall use blinking, rotating or oscillating
lights when operating the emergency vehicle at a speed in excess
of thirty (30) miles per hour over the posted speed limit.

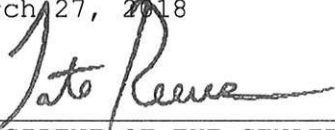
SECTION 3. This act shall take effect and be in force from
and after July 1, 2018.

PASSED BY THE HOUSE OF REPRESENTATIVES
March 27, 2018



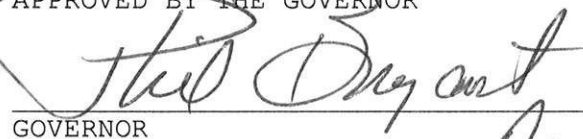
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 27, 2018



PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR



GOVERNOR

April 13, 2018
9:30 AM